

APPEAL NO. 021913
FILED SEPTEMBER 4, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 9, 2002. The hearing officer resolved the disputed issues by determining that the appellant (claimant) reached maximum medical improvement on September 25, 2000; that his impairment rating is 15%, based on the amended report of the designated doctor; and that the respondent (carrier) is entitled to a reduction representing 1/15th of the claimant's impairment income benefits and supplemental income benefits based on contribution from an earlier compensable injury. On appeal, the claimant expresses disagreement with the hearing officer's decision. The carrier urges affirmance.

DECISION

We affirm the hearing officer's decision.

The hearing officer's Decision and Order contains a comprehensive summary of the evidence. Whether the great weight of the medical evidence was contrary to the amended report of the designated doctor was a factual question for the hearing officer to resolve. Texas Workers' Compensation Commission Appeal No. 93459, decided July 15, 1993. Similarly, it was for the hearing officer to decide whether the carrier is entitled to reduce the amount of income benefits paid to the claimant based on contribution from an earlier compensable injury. Texas Workers' Compensation Commission Appeal No. 92549, decided November 24, 1992. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **AMERISURE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CINDY GHALIBAF
7610 STEMMONS FREEWAY, SUITE 350
DALLAS, TEXAS 75247-4216.**

Philip F. O'Neill
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Thomas A. Knapp
Appeals Judge